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## FISCAL IMPACT REPORT



SPONSOR: Watchman DATE TYPED: 02/04/02 HB 435

SHORT TITLE: Forensic Investigations on Tribal Lands SB \_\_\_\_\_

ANALYST: Baca

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
	\$225.0			Recurring	General Fund

(Parenthesis) Indicate Expenditure Decreases)

Relates to Appropriation in The General Appropriation Act

Identical to SB 374

### SOURCES OF INFORMATION

Commission on Higher Education (CHE)  
LFC Files

### SUMMARY

#### Synopsis of Bill

House Bill 435 appropriates \$225.0 to the Board of Regents of the University of New Mexico (UNM) for expenditure in FY2003 to conduct forensic investigations and related services as requested by Indian nations, tribes or pueblos in New Mexico.

#### Significant Issues

According to Office of the Medical Investigator, as part of the criminal investigation process they are authorized to conduct mandatory autopsies only where state law is applicable. Since tribal lands are outside the statutory jurisdiction of the state, they do provide forensic services to tribes when invited to do so but must charge for the services.

**FISCAL IMPLICATIONS**

The appropriation of \$225.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY2003 shall revert to the general fund.

According to the LFC staff analysis of an identical bill introduced during the 2001 session, the OMI reported that actual amounts billed to tribal governments for forensic services over a three year period were: FY98, \$188.3, FY99, \$151.9, FY00 190.9, and projected 221.5 for FY01.

**OTHER SIGNIFICANT ISSUES**

The following is provided for information only. It is not intended as a commentary on the merits of the bill:

This request was not included in UNM's budget request to the CHE. Consequently, it was not reviewed nor recommended by the CHE.

**CONFLICT/DUPLICATION/COMPANIONSHIP/RELATIONSHIP**

House Bill 435 duplicates Senate Bill 374, Forensic Investigations on Tribal Land. HB 435 relates to HB 2, the General Appropriation Act, which includes the appropriation for UNM.

LB/ar